

## DECLARATION AND POWER OF ATTORNEY

We, Chad T. Brickner, C. Erik Bright, Clayton L. Padgett, and W. Chris Swick, declare that we are citizens of the United States of America, residing respectively at Aurora, Illinois; Raleigh, North Carolina; Raleigh, North Carolina; and Raleigh, North Carolina, and that we believe we are the original, first, and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

A METHOD OF MODULATING A BOOM ASSEMBLY TO PERFORM IN A LINEAR MANNER

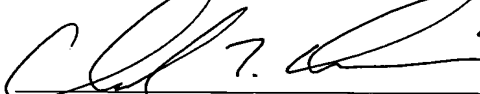
the specification of which is attached hereto.

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims.

We acknowledge the duty to disclose to the Patent and Trademark Office all information known to be material to patentability as defined in §1.56. We further declare that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by us or our legal representatives or assigns.

We hereby appoint James R. Smith, Patent Office Reg. No. 41,318, telephone (309) 636-1569, J. Wesley Blumenshine, Patent Office Reg. No. 32,399, telephone (309) 675-5537, J. W. Keen, Patent Office Reg. No. 28,432, telephone (309) 675-5753, and Dennis C. Skarvan, Patent Office Reg. No. 35,360, telephone (309) 675-6060, our attorneys and/or agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected with this application. Please address all correspondence to: James R. Smith, Caterpillar Inc., Intellectual Property Department, AB6490, 100 N.E. Adams Street, Peoria, Illinois 61629-6490.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

 11/24/2003

CHAD T. BRICKNER Date  
Post Office Address:  
2534 Hillsboro Blvd.  
Aurora, Illinois 60504

 12/9/03

CLAYTON L. PADGETT Date  
Post Office Address:  
1708 Fairview Road  
Raleigh, North Carolina 27608

 12/9/2003

C. ERIK BRIGHT Date  
Post Office Address:  
1424 Millstone Landing Drive  
Raleigh, North Carolina 27603

 10 Dec 03

W. CHRIS SWICK Date  
Post Office Address:  
1224 Manchester Drive  
Raleigh, North Carolina 27609